



Specialized Use of Dedicated Parkland Permit Application

Type of Permit Requesting

Please check predominant use:

- Fitness, Cross Training, Pilates, Yoga or Professional Exercise Trainer
- Martial Arts
- Sports/Running Program or Training
- Photography
- Use of specialized equipment – i.e., grill/cooker, bounce house, generator, ground stake, light tower, etc.
- Dog Trainer, Outdoor Education Service, or something not listed.

Please define: _____

Requested Permit Term:

- Annual
- Single Occurrence

Requested Park Location(s):

Dates/Days/Times:

Application Date: _____

Permit Holder Information

Permit Holder Name:

Permit Holder Birthday:

Company Name:

Second Contact Person:

Phone Number:

Address: _____

City: _____ State: _____ Zip Code: _____

Phone Number: _____ Alternate Phone Number: _____

Email Address: _____

Texas Driver's License or Identification Card Number*: _____

****Permit holder may be required to provide insurance documents as verifiable proof before the Park Use Permit is issued.***



Allowed Uses

Programs/activities as described in the program/activity description section herein are allowed and must adhere to the rules attached as Exhibit A. To the extent of any conflict between the program/activities authorized in this Permit and other existing uses, the City reserves the right to adjust the uses authorized. This Permit may not be approved.

Conditions of Permit

- 1) Permit holder shall clean the park locations at the end of every day of use under this Permit.
- 2) All spaces come "as is" and improvements or modifications made by the City to any area are not guaranteed. Additional agreements and fees may be required for the modifications or improvements.
- 3) Approved permit must be on hand and at the site of approved permit location.
- 4) Permit holder shall not use the park location if the area has been closed by the City due to inclement weather or other reason. The City will notify the permit holder point of contact of the closure to identify the nature and duration of the closure.
- 5) Permit holder shall advise their employees of the park use policies to ensure that all activities under this permit comply with the park use policies and procedures as set forth in **Exhibit A** and general PARD park rules or city ordinances.

Fees

- Annual permit \$500(RES)/\$550(Non-Res) per applicant (calendar year, no pro-rating)
- Single Occurrence \$25(RES)/\$35(Non-Res)
- All other fees and regulations associated with the use of the property under Municipal Code 31 and 117 still apply.

Term/Termination

This permit shall be effective from the date of signature by the permit holder and the Director or designee and shall automatically terminate based on the permit term selected above, unless terminated earlier under this provision.

The Director or designee may revise or terminate this permit upon seven (7) days written notice to the permit holder or upon determining that the permit holder caused or allowed others under the permit holder's control to cause damage to the park location beyond normal wear and tear or if the City determines this contract is no longer in the best interest of the City or any other violation of the terms of this permit.

If the permit is terminated due to property damage, the permit holder is responsible for damages and legal remedies. No prorating or refunds issued under these terms.

Insurance

Applicants may be required to provide insurance as prescribed by the City Permit Holder's proof of Commercial General Liability insurance covering personal injury, bodily injury or property damage shall be in the sum not less than \$250,000 per occurrence and \$500,000 aggregate with a Certificate of Insurance naming the City of Carrollton (1945 E Jackson, Carrollton, TX 75006) as an additional insured party. City must receive cancellation of insurance notice thirty (30) days prior to cancellation of permit holder's insurance policy.

Compliance with City of Carrollton Rules and Regulations

In addition to the specific rules and regulations established for this permit and use program, applicant acknowledges that each park permit is subject to general park rules and regulations as currently exist and as may be adopted administratively or by ordinance by the City of Carrollton and agrees to abide by these rules and regulations.



Program/Activity Description

Describe the program/activity, include anticipated attendance per class/time slot.

Describe in detail how the parkland (including special equipment or animals) will be used (include a map of the park, marking the areas where the program will occur):

Indemnity/Wavier

PERMIT HOLDER AND PERMIT HOLDER’S EMPLOYEES, SUB-CONTRACTORS, ASSIGNS OR VOLUNTEERS DO HEREBY COVENANT AND CONTRACT TO RELEASE, DEFEND, INDEMNIFY AND HOLD HARMLESS THE CITY OF CARROLLTON, ITS AGENTS, EMPLOYEES, AND ASSIGNS, IN BOTH THEIR PUBLIC AND PRIVATE CAPACITIES, HARMLESS FROM AND AGAINST ANY AND ALL CAUSES OF ACTION, CITATIONS, CLAIMS, LAWSUITS, JUDGMENTS, DAMAGES, DEMANDS, LIABILITIES, COSTS, LOSSES, PENALTIES AND EXPENSES FOR PERSONAL INJURY (INCLUDING DEATH), PROPERTY DAMAGE OR OTHER HARM FOR WHICH RECOVERY OF DAMAGES IS SOUGHT, SUFFERED BY ANY PERSON OR PERSONS, THAT MAY ARISE OUT OF OR BE OCCASIONED BY THE PERMIT HOLDER’S BREACH OF ANY OF THESE TERMS AND CONDITIONS OF THE PERMIT, OR BY ANY NEGLIGENT OR STRICTLY LIABLE ACT OR OMISSION OR INTENTIONAL WRONGFUL ACT OF PERMIT HOLDER OR ITS OFFICERS, EMPLOYEES, SUBCONTRACTORS, ASSIGNS OR VOLUNTEERS, IN OR RELATED TO ITS PERFORMANCE UNDER THE PERMIT; EXCEPT THAT THE INDEMNITY PROVIDED FOR IN THIS PARAGRAPH SHALL NOT APPLY TO ANY LIABILITY RESULTING FROM THE SOLE NEGLIGENCE OF THE CITY, ITS OFFICERS, AGENTS, EMPLOYEES OR SEPARATE CONTRACTORS, AND IN THE EVENT OF JOINT AND CONCURRING NEGLIGENCE OF THE PERMIT HOLDER AND THE CITY, RESPONSIBILITY AND INDEMNITY, IF ANY, SHALL BE APPORTIONED IN ACCORDANCE WITH THE LAWS OF THE STATE OF TEXAS, WITHOUT WAIVING ANY GOVERNMENTAL IMMUNITY AVAILABLE TO THE CITY UNDER TEXAS LAW AND WITHOUT WAIVING ANY DEFENSES OF THE PARTIES UNDER TEXAS LAW, AND CITY’S REASONABLE ATTORNEY’S FEES SHALL BE REIMBURSED IN PROPORTION TO THE PERMIT HOLDER’S LIABILITY. THE PROVISIONS OF THIS PARAGRAPH ARE SOLELY FOR THE BENEFIT OF THE PARTIES HERETO AND NOT INTENDED TO CREATE OR GRANT ANY RIGHTS, CONTRACTUAL OR OTHERWISE, TO ANY OTHER PERSON OR ENTITY. THIS INDEMNITY IS SUBJECT TO THE LIMITATIONS IN TEXAS LOCAL GOVERNMENT CODE § 271.904 (A) AND TEXAS CIVIL PRACTICE AND REMEDIES CODE, § 130.002 (B). INDEMNIFIED ITEMS SHALL ALSO INCLUDE

ANY EXPENSES, INCLUDING ATTORNEY’S FEES AND EXPENSES, INCURRED BY AN INDEMNIFIED INDIVIDUAL OR ENTITY IN ENFORCING THIS INDEMNITY.



PERMIT HOLDER SHALL COMMUNICATE THE TERMS OF THIS INDEMNITY AND WAIVER TO ALL PERMIT HOLDER'S EMPLOYEES, VOLUNTEERS, AND CLIENTS. PERMIT HOLDER SHALL HAVE ANY AND ALL CLIENTS OR PARTICIPANTS EXECUTE A WAIVER, INDEMNITY AND RELEASE TO INCLUDE THE CITY OF CARROLLTON.

Applicant's Verification:

I verify that all the above information is true. I have also read, understand, and am willing to comply with the park use policies and procedures as set forth by the City of Carrollton Parks and Recreation Department. I understand and agree that all spaces come "as is" and improvements or modifications made by the City to any area are not guaranteed. I agree to the terms of this annual Use of Park Permit and am authorized to sign on behalf of the Permit Holder.

Signature of Applicant

Printed Name

Date

Please complete this application and return to the address below:

Mailing Address:

City of Carrollton
Parks and Recreation Department
1610 E. Crosby Road
Carrollton, Texas 75006

Contact:

Phone: 972-466-3080
Fax: 972-466-5710
Email: RecRentals@cityofcarrollton.com

City of Carrollton Parks and Recreation Department Approvals: (office use only)

Director or Designee

Printed Name

Date



Exhibit A

Specialized Use of Dedicated Parkland

A fee and use policy have been approved, rules developed to establish specialized use, and location trends that continue to encourage leisure services to all service providers. Considerations are made to provide the best use for Carrollton residents and protect the interests of the Parks and Recreation Department’s mission “...Parks and Recreation provides innovative, diverse, and quality recreation and leisure opportunities for everyone, while preserving City parks and natural resources.”

Section	Description	Proposed Rule or Fee
1	Approved Uses	Fitness groups, Dog Trainers, Yoga Instruction, Photography, Martial Arts, Outdoor Education, other professional services and specialized equipment use as approved by the Director or designee.
2	Approved Locations	<p><i>All areas are subject to approval by the Director or designee based on activity type, special equipment, and attendee size and will be vetted case by case.</i></p> <p>25 city park tracts and area parks, as listed below, excluding off-leash areas, public walkways, and pre-defined use areas. Locations not listed may be considered based on proposed usage.</p> <ul style="list-style-type: none"> • Branch Hollow Park • Crosby Recreation Center Parking Lot • Clifford E. Hall Park • Elm Fork Nature Preserve • Francis Perry Park • Gravely Park • Greenbelt Park Area 2 • Greenbelt Park Area 4A • Harvest Run Park • Holman D. Rhoton Park • Jimmy Porter Park • Josey Ranch Sports Complex Parking Lot • Josey Ranch Lake Park • Keller Springs Park • Indian Creek Ranch Park • Martha Pointer Park • Mary Heads Carter Park • Oak Creek Tennis Center Parking Lot • Oak Hills Park • Rosemeade Park • Rosemeade Recreation Center Parking Lot • Senior Center Parking Lot • Ward Steenson Park • Timbercreek Park • W. J. Thomas Park
3	Excluded Areas	Any area specially dedicated to a use that would reasonably conflict with any approved predetermined use. For example, holding fitness classes in an area dedicated as a children’s play area or basketball courts or sports fields are not appropriate.
4	Additional Equipment	<p>Any specialized equipment or supplies such as generators, portable cooking trailers, light towers, bounce houses, use of ground stakes, animals, or the like must receive prior approval.</p> <p>Permit Holder may NOT bring equipment to parks that could damage the parkland, facility, or pose a hazard to the general public.</p>
5	Location Access	Permit holders shall not interrupt existing use of an area by the general public and the public must always have access to park or parking lot entrances. Blocking of public access is prohibited.



6	Fee per Applicant	\$500 Annual Permit \$25 Single Occurrence Permit All other fees and regulations associated with the use of the property under Municipal Code 31 and 117 still apply.
7	Permit Credential	ID Card with Photo for each permit holder. Permit Holders are required to wear or have with them the permit credentials when on location of approved site.. City retains the right to request proof of permit by requesting permit credentials by any City of Carrollton employee.
9	Enforcement	Violations of this permit or PARD rules may result in the revocation of permit. Three (3) or more violations by any permit holder shall result in permanent removal from the program.
10	Parking Lots	Dedicated parking lots may be used for certain activities at the discretion of the Director or designee. Days, times, and any usage that will block parking spots, exits and entrances will be reviewed when considering parking lot usage. <i>*Lighting is such for safety of a parking lot and not designed for programming purposes.</i>